

STAFF REPORT

TO: Planning & Economic Development Committee **DATE:** March 10, 2010
FROM: Shannon Tuch, Assistant Director
Planning & Development
SUBJECT: Conditional Use Rezoning – Richmond Hill Park

Summary

Zoning and site analysis related to a volunteer request from the WNC Disc Golf Club (WNC DGC) to construct a combined 18-hole disc golf course and nature trail at the Conditionally zoned Richmond Hill Park.

Background

In 2005, a Conditional Use Rezoning of the Richmond Hill park property (183 acres) was initiated to allow for, through partnership with the City, the construction of a new National Guard Armory where in-kind grading services for a proposed ball field complex were proposed in exchange for 12 acres needed to support the National Guard complex. In addition to the armory project, the masterplan for Richmond Hill included a disc golf course, bike and walking trails, wildlife preservation areas, picnic shelter, playground, public art, rest rooms and parking. The Richmond Hill Conditional Use Rezoning included two separate actions – 1) a rezoning from RS-2 to Institutional to allow for a governmental use not normally allowed in the RS-2 zoning district and, 2) the adoption of a Conditional Use Permit and associated site specific masterplan that included the proposed armory, ball fields, hiking and biking trails, and wildlife preservation areas. An 18-hole disc golf course already existed at the site.

Conditional Use Rezonings are quasi-judicial and require that the seven (7) conditional use findings be met before an application may be approved. The findings are intended to ensure that the proposed use and plan are generally compatible with other uses existing in the area and that potential impact on the surrounding neighborhood and the city as a whole, are addressed through individual consideration of the location, design, configuration and/or operation at the particular location proposed. Such individual consideration may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure that the public's health, safety and welfare are addressed. The CUZ for Richmond Hill did include a number of special conditions including a limitation on further development and traffic calming along adjacent residential streets. After careful consideration at a well attended public hearing, the Asheville City Council approved the CUZ and associated masterplan. Any deviations from the approved plan that increase impact require reconsideration and approval by Council through a separate Conditional Use Permit (CUP) application process.

Issues with the in-kind grading services necessitated the removal of the ball fields from the masterplan for the park. Since this was a change that resulted in a smaller overall impact to the site, no conditional use permit amendment was required but due to the extensive public interest in the project a public meeting was held at Council to discuss the change. After extensive discussion at that meeting the City Council decided to not pursue the ball field component of the

project. The required traffic calming was also subsequently dropped from the project requirements since it was largely necessitated by the anticipated ball field traffic.

Some of the elements in the Richmond Hill master plan noted above were proposed largely in association with the ball field complex and may not be realized as a result of this component being dropped from the plan. Other components that remained viable and have been completed include the relocated 18-hole disc golf course (displaced by the armory site) and a small parking area that was completed in 2006. Additionally, bike trails are currently under construction as part of the phased development of the park masterplan. As funding becomes available, the next priority item in the master plan is the installation of public rest rooms which are still considered a critical need at the park, particularly in light of the interest in maintaining a low impact to the existing natural areas.

New Proposal

WNCDGC and its partner, Blue Ridge Parkway Foundation - Kids in Parks, propose to construct an additional combined 18-hole disc golf course, and an interpretive nature trail in the western area of Richmond Hill Park. This would be a second course that was not included in the original masterplan. The proposal came before the Recreation Advisory Board on December 14, 2009 where the Board recommended to approve the proposal under the condition there is no fiscal impact of the project and maintenance cost to the City – staff did not offer a formal recommendation for the Board's consideration. The WNCDGC project proposal and course layout maps are attached. Map A is the course layout including the use of the National Guard property, and Map B is the course layout without the National Guard property.

Financial Impact/Resources:

The intent of the WNCDGC proposal is no direct cost to the City. The construction phase will require 50 to 75 hours of staff time as the City's project manager to provide construction oversight. At this time it is not known how the additional disc golf course will impact park maintenance operations since much of it will depend on WNCDGC ability to obtain mulch and spread it over a large area while doing the same on the existing disc golf course. Parks and Recreation staff report that the existing course has not been maintained at the desired level due to financial constraints for both the WNCDGC and the City of Asheville.

Summary of staff review:

In order for the new course to be added at Richmond Hill, an amendment (CUP) to the original rezoning will be necessary and must be approved by the City Council. The CUP can only be approved if all seven (7) Conditional Use findings must be met. Staff is concerned that not all seven findings may be met. Of particular concern is:

That the proposed use or development of the land is reasonably compatible with significant natural and topographic features on the site and within the immediate vicinity of the site given the proposed site design and any mitigation techniques or measures proposed by the applicant.

- When constructing the existing disc golf course the City experienced considerable public criticism and negative public relations since the course encroached into sensitive environmental areas. It should be expected the proposed course will also impact sensitive environmental areas and includes fairway areas in proximity to jurisdictional streams along with several stream crossings.
- Trees within proximity of existing course show broken and damaged bark where the golf disc repeatedly hit the trees, making the trees susceptible to disease and decline.

- WNCDGC donates considerable labor and materials to maintain the existing course, and expects to do the same with the proposed course; however, the existing course fairways show considerable erosion with bare, hard-packed, and eroded surfaces and exposed tree roots. The City or WNCDGC has not had the resources to annually provide 1,800 yards of mulch valued at \$25,000 except one time in four years. The proposed course will double the annual amount of mulch and labor to distribute the mulch over a large area.
- There are currently no public restrooms at the park which is a critical component to minimizing impact to environmentally sensitive areas.

That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density and character of the area or neighborhood in which it is located.

That the proposed use will not cause undue traffic congestion or create a traffic hazard.

That the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

- When planning for development of Richmond Hill Park, public input clearly stated 1) keep majority of park as natural and undisturbed as possible with exception of trails and minor amenities such as benches, picnic areas, etc., 2) Minimize development to avoid large amounts of traffic on neighborhood streets leading into the park. The intent is to create a balance of public use within the park. Of the 171-acre park, approximately 20% is developed. The addition of a disc golf course will increase developed area to approximately 35%.
- The existing disc golf course and the National Guard facility bring considerable amount of traffic through the residential neighborhood leading into the park. The proposed course will add to the amount of traffic.
- The property is has extremely limited access reliant on a single bridge crossing (Pearson Bridge) and single entrance into the park through a residential neighborhood. Existing services are marginal and opportunities to improve are limited.

That the proposed use or development of the land will generally conform with the comprehensive plan, smart growth policies, sustainable economic development strategic plan, and other official plans adopted by the city.

- The Parks, Recreation, Cultural Arts and Greenways Master Plan does not recommend another disc golf course in the future development of Asheville's park system. The citizen survey of the public input portion of the master plan consistently rated disc golf as the least important amenity for future development. During focus groups, public input noted an interest in an additional disc golf course; however it did not rate enough interest to qualify as a final recommendation.
- The build out of the Richmond Hill Park Master Plan is incomplete and lacks restrooms. The intent is to complete the restrooms once funding becomes available before considering any future development.
- The *Asheville City Development Plan 2025* includes references to both increasing recreational opportunities but also to preservation of open space and natural areas.

Staff Recommendation:

Due to concerns over the supportability of the WNCDGC's proposal in context of the conditional use findings, staff recommends reconsidering the proposal to add a second 18-hole disc golf course when 1) access to the site is improved to mitigate existing residential traffic, 2) service

delivery is improved or mitigated, 3) public restrooms are installed, and 4) on-going resources are secured to properly maintain the amenities and mitigate impacts to environmentally sensitive areas over time.

Attachments:

- (1) Map A (Armory + Park)
- (2) Map B (Park Only)